THE BOMBAY SHOPS AND ESTABLISHMENTS ACT, 1948 (BOM. LXXIX OF 1948).

G. N., Lab. D., No. 184/48, dated 4th February 1949 (B. G., Pt. IV, p. 267). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to add the following entry to the entries under the head " I Establishments " in the Schedule II to the said Act, namely :—

" 6-A. Offices of the Reserve Bank of India.....Do. "

G. N., Lab. D., No. 184/48, dated 26th February 1949 (B. G., Pt. IV-B, p. 411). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to add the following entry to the entries under the head " I Establishments " in the Schedule II to the said Act, namely :—

" 6-B. Office of the Commercial Secretary for Canada.....Do. "

G. N., Lab. D., No. 8/48, dated 24th March 1949 (B. G., Pt. IV-B, p. 786). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to add the following entry to the entries under the head " I Establishments " in the Schedule II to the said Act, namely :—

" 6-C. Shops dealing in milk.....Section 18. "

G. N., Lab. D., No. 184/48, dated 11th April 1949 (B. G., Pt. IV-B, p. 935). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to alter the entry No. 6-B under the head " I-Establishments " in Schedule II to the said Act, as follows, namely :—

In the said entry for the words " Office of the Commercial Secretary for Canada " the following words shall be substituted namely :—

" Offices of Trade Commissioners and of consular officers and other diplomatic representatives of Foreign Governments ".

G. N., Lab. D., No. 8/48—I, dated 14th April 1949 (B. G., Pt. IV-B, p. 926). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to amend the entries in the Schedule II to the said Act, as follows, namely :—

(1) In the head " II. Employees and other persons " in the said Schedule, for the word " Employees " the words " Establishments, employees " shall be substituted.

(2) In entry No. 10 in the said Schedule, (*i*) in the second column for the words " Employees employed " the word " Establishments " shall be substituted.

(3) In entry No. 11 in the said Schedule in the third column, for the letters " Do " the following words and figures shall be substituted, namely :—

" Sections 10, 11, 13 to 18 (Both inclusive) ".

(4) In entry No. 16 in the said Schedule in the third column, after the letters " Do " the following words and figures shall be added, namely :—

" In respect of commercial establishments, also section 18 ".

S. 4 **G. N., Lab. D., No. 8/48-II, dated 14th April 1949 (B. G., Pt. IV-B, p. 927).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to add the following entry to the entries under the head " I, Establishments " in the Schedule II to the said Act, namely :—

" 6D.	Establishments maintained in connection with the Petrol Service Stations and Petrol Pumps.	All provisions.

S. 4 **G. N., Lab. D., No. 8/48-III, dated 14th April 1949 (B. G., Pt. IV-B, p. 928).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to add the following entries to the entries under the head " II. Establishments, employees and other persons " in the Schedule II to the said Act, namely :—

" 17	Employers of commercial establishments.	Section 18(1) so far as concerns their own attendance and the attendance of the staff exempted from section 18.
18	Legal and Income Tax Practitioners.	Sections 13 and 18(1) so far as concerns their own attendance and the attendance of the staff exempted from section 18.
19	Establishments dealing wholly in fruits, flowers, vegetables, eggs and fish.	Section 18.
20	Female attendants for women's cloak-rooms or lavatories at theatres or other places of public amusement or entertainment or at residential hotels or restaurants.	Section 33.
21	Female House Keepers employed in residential hotels and female artists in cabaret or entertainment shows.	Section 33. "

G. N., Lab. D., No. 8/48-I, dated 28th April 1949 (B. G., Pt. IV-B, p. 986). **S. 4**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of the notifications noted in the margin,* the Government of Bombay is hereby pleased to make the following amendments in the Second Schedule, namely :—

*1. Government Notification (LabourDepar tment) No. 8/48 dated the 24th March 1949.

2. Government Notification (Labour Department) No. 8/48-I dated the 14th April 1949.

3. Government Notification (Labour Department) No. 8/48-III dated the 14th April 1949.

1. After the heading 'Exemptions', the words and brackets "(subject to the note mentioned below)" shall be added.

2. For entry No. 6C, the following shall be substituted, namely :—

"6C	Offices of air service companies.	All provisions."

3. After entry No. 6D, the following shall be added, namely :—

"6E	Offices of Agricultural Produce Market Committees established under the Bombay Agricultural Produce Markets Act, 1939 (Bom. XXII of 1939).	All provisions.
6F	Establishments pertaining to any kind of educational activities.	All provisions."

4. In entry No. 7, in the second column for the words, beginning with the word 'Employees' and ending with the word 'formalities', the following shall be substituted namely :—

"Employees in an establishment exclusively attending to the receipt, delivery, clearance or despatch of goods, or to assisting the travel arrangements of passengers by rail or other means of transport".

5. In entry No. 10, in the third column after the word 'Do', the word and figure "and 33" shall be added.

6. In entry No. 12, in the second column, the following explanation shall be added at the end, namely :—

"*Explanation.*—The following employees shall be deemed to be employees whose work is inherently intermittent :—

(1) Employees employed in the sections of establishments carrying out repairs for the maintenance of water supply, gas supply, electricity and drainage, or repairs to ships ;

(2) Employees employed in bill collection work ;

(3) Employees employed in the Road Service Department of the Western India Automobile Association ;"

7. In entry No. 15, in the third clolumn, after the words and brackets "(both inclusive)", the word and figure "and 33" shall be added.

8. In entry No. 16, in the third column, for the word and figure 'section 18', the words and figures "Sections 13 and 18" shall be substituted.

9. In entry No. 17, in the third column, for the word, figures and brackets "section 18(1)" the words, figures and brackets "sections 13 and 18(1)" shall be substituted.

10. In entry No. 19, in the second column, after the word "vegetables" the words "betel leaves, meat" shall be substituted.

11. After entry No. 21, the following entries and note shall be added, namely :—

"22	Establishments of legal and income-tax practitioners.	Section 15.
23	Sections of newspaper or news agency offices pertaining to news collection, editing and publishing.	Sections 13 to 18 (both inclusive).
24	Ice manufacturing establishments.	Sections 13 and 18.
25	Bakeries	Provision relating to opening hour and section 18.
26	Such hair cutting establishments and hammam-khanas as open not earlier than 6 a.m. and close not later than 9-30 p.m.	Sections 10, 11 and 16.
27	Shops dealing in milk, curds, cream and butter.	Sections 11, 16, 18 and 33.
28	Photography establishments ...	Provision of opening hour in section 10.
29	Railway book stalls	Sections 10, 11 and 18.
30	Those establishments in organised markets (like the cotton or stocks and securities markets) recognised by the prescribed authority as involving intermittent work, which observe not more than six and a half total hours of work per day between the limits of 11-30 a.m. and 6-30 p.m.	Section 15.
31	Sections in banks pertaining to safe deposit vaults or lockers or godowns.	Section 18.
32	Establishments employing not a single employee.	Section 62.
33	Employers of all establishments.	Provision relating to closing hour in sections 11, 13 and 19 so far as their own work is concerned, provided no sale or service to customers is rendered.
34	Piece workers in establishments ...	Sections 14, 16, 17 and 33.

Note.—The exemptions from the provisions of section 18 in entries Nos. 7 to 12, 14, 16, 19, 23, 24, 25, 27, 29 and 31 shall be permissible in the case of such establishments referred to therein as give the employees concerned one day in a week as a holiday and make no deduction from wages on account thereof."

G. N., Lab. D., No. 8/48, dated 14th May 1949 (B. G., Pt. IV-B, p. 1088). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), and in modification of Government Notification, Labour Department, No. 8/48-I, dated the 28th April 1949, the Government of Bombay is hereby pleased to make the following amendments in the Second Schedule, namely :—

1. After entry No. 34, the following entries shall be added, namely :—

"35	Shops supplying cycles on hire or petromax and other lanterns on hire.	Provision relating to closing hours in section 11.
36	Shops dealing in newspapers	... Section 18."

2. In the note below the said Schedule, for the word and figure " and 31 ", the word and figures " 31 and 36 " shall be substituted.

G. N., Lab. D., No. 8/48, dated 17th May 1949 (B. G., Pt. IV-B, p. 1105). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), and in modification of the notifications noted in the margin* the Government of Bombay is hereby pleased to make the following amendments in the Second Schedule, namely :—

*1. Government Notification, Labour Department, No. 8/48-III, dated the 14th April 1949.

2. Government Notification, Labour Department, No. 8/48-I, dated the 28th April 1949.

1. After entry No. 6F, the following entry shall be added, namely :—

"6G.	The High Court Law Library, High Court, Bombay.	All provisions."

2. In entry No. 19, in the second column, after the word " meat " the word " bread " shall be added.

G. N., Lab. D., No. 8/48, dated 19th May 1949 (B. G., Pt. IV-B, p. 1106). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of the notifications noted in the margin, the Government of Bombay is hereby pleased to make the following amendments in the Second Schedule, namely :—

1. Government Notification (Labour Department) No. 8/48-1, dated the 28th April 1949.

2. Government Notification (Labour Department) No. 6/48-1, dated the 14th May 1949.

1. In entry No. 12 in the second column, the following shall be added to the explanation at the end, namely :—

"(4) Employees employed in the sections of establishments for the purpose of maintenance and repairs of buildings or of projectors or sound equipments in cinemas."

2. After entry No. 36, the following entry shall be added, namely :—

" 37	Code Departments of Commercial establishments.	Sections 13 and 18."

3. In the note below the said Schedule, for the word and figure " and 36 " the word and figures " 36 and 37 " shall be substituted.

S. 4 **G. N., Lab. D., No. 8/48, dated 24th May 1949 (B. G., Pt. IV-B, p. 1218).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of Government Notification, Labour Department No. 8/48, dated the 19th May 1949, the Government of Bombay is pleased to make the following amendments in the Second Schedule, namely :—

After entry No. 37, the following entries shall be added, namely :—

" 38	Operators employed in cinema theatres on days on which extra charity shows recognised by the prescribed authority are held.	Sections 28 and 30.
39	Children and young persons exclusively employed in the sport sections of residential clubs.	Sections 32 to 34 (both inclusive)"

S. 4 **G. N., Lab. D., No. 8/48, dated 3rd June 1949 (B. G., Pt. IV-B, p. 1274).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of the notifications noted in the margin the Government of Bombay is pleased to make the following amendments in the Second Schedule, namely :—

1. Government Notification (Labour Department) No. 6/48 dated the 19th May 1949.

2. Government Notification, Labour Department No. 8/481 dated the 24th May 1949.

1. In entry No. 13, in the third column, for the word and figure " section 19 ", the words and figures " sections 19, 20 and 23 " shall be substituted.

2. In entry No. 14, in the second column, after the word " caretakers ", the words " fire-fighting staff " shall be added.

3. After entry No. 39, the following entries shall be added, namely :—

" 40	Establishments of Telegram Commission Agents.	Sections 13 and 18.
41	Young persons employed as performers in dramatic shows.	Section 33. "

4. In the note below the said Schedule, for the word and figure " and 37 ", the word and figures " 37 and 40 " shall be substituted.

G. N., Lab. D., No. 8/48, dated 11th July 1949. S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of the notifications noted in the margin, the Government of Bombay is pleased to make the following amendments in the Second Schedule, namely :—

1. Government Notification, (Labour Department) No. 8/48-I dated the 28th April 1949.
2. Government Notification, (Labour Department) No. 8/48, dated the 17th May 1949.
3. Government Notification, (Labour Department) No. 8/48, dated the 19th May 1949.

(1) After the entry No. 6G, the following entry shall be added namely :—

" 6H.	Office of the Bombay Housing Board established under the Bombay Housing Board Act, 1948 (Bom. LXXIX of 1948) and offices subordinate to it.	All provisions. "

(2) In entry No. 8 in the third column, after the word " Do " the words and figures " and 21 and 24 " shall be added.

(3) In entry No. 9, in the third column, for the word " Do " the following words and figures shall be substituted, namely :—

" Sections 10, 11, 13 to 18 (both inclusive) ".

(4) In entry No. 12, in the second column, the following words shall be added to the explanation (4) at the end, namely :—

" or of air-conditioning and refrigeration plants."

(5) In entry No. 28, in the third column, after the words and figures " Provision of opening hour in section 10 " the words and figures " and provision of closing hour in section 11" shall be added.

G. N., Lab. D., No. 8/48, dated 24th August 1949 (B. G., Pt. IV-B, p. 1832). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to make the following amendment in the Second Schedule, namely :—

In entires No. 1 to 5, in the second column, for the word " Offices ", the word " Establishments " shall be substituted.

G. N., Lab. D., No. 8/48, dated 29th September 1949 (B. G., Pt. IV-B, p. 1932). S. 4

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of Government Notification, Labour Department No. 8/48, dated the 11th July 1949, the Government of Bombay is pleased to make the following amendment in the Second Schedule, namely :—

After entry No. 6H, the following entry shall be added, namely :—

" 6I.	Office of the Industrial Finance Corporation of India at Bombay.	All provisions."

S. 4 **G. N., Lab. D., No. 8/48, dated 7th November 1949.**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to make the following amendment in the Second Schedule, namely :—

After entry No. 41, the following entry shall be added, namely :—

" 42	Such shops dealing in pan, bidi, cigarettes, matches and other ancillary articles as open not earlier than 6-00 a.m.	Section 10. "

S. 4 **G. N., Lab. & H. D., No. 8/48, dated 20th February 1950 (B. G., Pt. IV-B, p. 306).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of Government Notification, Labour Department, No. 8/48, dated the 11th July 1949, the Government of Bombay is pleased to make the following amendment in the second schedule, namely :—

In entry No. 12, in the second column the following words shall be added to the explanation (4) at the end, namely :—

" or of punched-card accounting equipment ".

S. 4 **G. N., Lab. & H. D., No. 8/48, dated 23rd March 1950 (B. G., Pt. IV-B, p. 649).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) and in modification of the notifications noted below* the Government of Bombay is pleased to make the following amendment in the second schedule, namely :—

1. After entry No. 42, the following entry shall be added namely :—

		Section.
" 43	Upcountry depots and transhipment stations belonging to oil companies	18 "

*(1) Government Notification, Labour Department, No. 8/43, dated the 3rd June 1949.

(2) Government Notification, Labour Department, No. 8/48, dated the 7th November 1949.

2. In the note below the said schedule, for the word and figure " and 40 ", the word and figures " 40 and 43 " shall be substituted.

S. 4 **G. N., Lab. & H. D., No. 8/48, dated 11th April 1950 (B. G., Pt. IV-B, p. 789).**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to make the following amendment in the Second Schedule namely :—

After entry No. 43, the following entry shall be added, namely :—

"44.	Such employees of the Co-operative Banks as are engaged in propaganda, supervision and training in business methods of agriculturists and rural artisans.	Section 13 ".

G. N., Lab, & H. D., No. 8/48, dated 2nd June 1950 (B. G., Pt. IV-B, p. 1151). **S. 4**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to make the following amendments in the Second Schedule, namely :—

1. After entry No. 44, the following entries shall be added, namely :—

"45.	Menial staff employed in stables attending to the work of feeding, bathing and milking of animals, cleaning of stables and distribution of milk.	Sections 13 to 18 (both inclusive).
46.	Dal Manufacturing establishments ...	Sections 16 and 18 ".

2. In the note below the said schedule, for the word and figure " and 43 ", the word and figures " 43, 45 and 46 " shall be substituted.

G. N., Lab. & H. D., No. 8/48, dated 22nd June 1950. **S. 4**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), and in modification of the notifications noted below*, the Government of Bombay is pleased to make the following amendment in the Second Schedule, namely :—

In entry No. 19, in the second column, after the word " bread ", the word " mawa " shall be added.

*(1) Government Notification, Labour Department, No. 8/48-III, dated the 14th April 1949.
(2) Government Notification, Labour Department, No. 8/48-I, dated the 28th April 1949.
(3) Government Notification, Labour Department, No. 8/48, dated the 17th May 1949.

G. N., Lab. & H. D., No. 8/48, dated 22nd June 1950. **S. 4**

In exercise of the powers conferred by the proviso to section 4 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), and in modification of Government Notification, Labour and Housing Department, No. 8/48, dated the 20th February 1950, the Government of Bombay is pleased to make the following amendment in the second schedule, namely :—

In entry No. 12, in the second column, the following words shall be added to the explanation (4) at the end, namely :—

" or of lifts ".

S. 10(1)(a) **G. N., Lab. D., No. 8/48-IV, dated 14th April 1949 (B. G., Pt. IV-B, p. 928).**

In pursuance of clause (*a*) of sub-section (*1*) of section 10 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to notify newspapers for the purposes of the said clause.

S. 10(1)(a) **G. N., Lab. D., No. 8/48-II, dated 28th April 1949 (B. G., Pt. IV-B, p. 988).**

In pursuance of clause (*a*) of sub-section (*1*) of section 10 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to notify curds, butter and flowers for the purposes of the said clause.

S. 17 **G. N., Lab. D., No. 8/48, dated 18th August 1949.**

In exercise of the powers conferred by the proviso to section 17 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to increase the spread over period in respect of employees employed in commercial establishments to sixteen hours a day on the days when the employees are required or allowed to work in the commercial establishments in excess of the limit of hours of work in accordance with the provisions of rule 8 of the Bombay Shops and Establishments Rules, 1949.

S. 30 **G. N., Lab. D., No. S. 58-I, dated 2nd September 1949.**

In exercise of the powers conferred by the proviso to section 30 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to increase the spread-over period in respect of employees employed in cinema theatres to fourteen hours a day on all sundays and fifty-two other days in a year subject to the condition that such days shall be notified by the theatre concerned to the Inspector in advance.

S. 30 **G. N., Lab. D., No. S. 58-II, dated 2nd September 1949.**

In exercise of the powers conferred by the proviso to section 30 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to increase the spread-over period in respect of operators employed in cinema theatres to fourteen hours a day on the days when Press shows or Censor shows are held in such theatres, subject to the condition that such days shall be notified by the theatre concerned to the Inspector in advance.

G. N., Lab. D., No. 539/48, dated 8th February 1949 (B. G., Pt. IV-B, p. 234A). **S. 67 Bombay Shops and Establishments Rules, 1949.**

Amended by G. N., Lab. D., No. 539/48-II, dated 15th November 1949.
Amended by G. N., Lab. and H. D., No. 539/48, dated 3rd April 1950.

In exercise of the powers conferred by section 67 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948), the Government of Bombay is pleased to make the following rules to carry out the purposes of the Act, namely :—

1. *Short title.*—These rules may be called the Bombay Shops and Establishments Rules, 1949.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(*a*) " Act " means the Bombay Shops and Establishments Act, 1948 ;

(*b*) " Form " means a form appended to these rules ;

(*c*) " Government " means the Government of Bombay ;

(*d*) " Regional Language " means any of the following languages, namely :—

In the City of Bombay, Marathi, Gujarati or Hindustani (Devnagri or Urdu Script) and elsewhere, Marathi, Gujarati, Kannada, or Hindustani (Devnagri or Urdu Scripts) ;

(*e*) " Schedule " means a schedule appended to these rules ;

(*f*) " Section " means a section of the Act ;

(*g*) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. *Appointment of prescribed authority.*—The Municipal Commissioner for the City of Bombay shall be the prescribed authority for the City of Bombay ; the Collector, Bombay Suburban District, shall be the prescribed authority for the local areas in the said district and elsewhere the District Magistrate shall be the prescribed authority for the local areas in his district.

4. *Suspensions of provisions of the Act.*—Government may suspend the operation of the provisions of the Act under section 6 at the time of the following holidays and occasions :—

Christmas holidays.

Divali holidays.

Pateti holidays.

Jamshedi Navroz.

Ramzan and Ramzan Id.

Ganesh Chaturthi.

Any occasion on which a public emergency is declared in this behalf by Government.

Public fairs or exhibitions or religious festivals recognised in this behalf by Government.

Any other occasion deemed fit by Government in this behalf.

5. *Form of submitting a statement, the fees and other particulars under sub-section (1) of section 7.*—Within the period specified in sub-section (*4*) of section 7, the employer of every establishment shall send to the Inspector of the local area concerned a statement in Form A together with such fees as are prescribed in Schedule I.

6. *Manner of registering establishments and the form of registration certificate.*—On receipt of the statement and the fees prescribed in rule 5, the Inspector shall, on being satisfied about the correctness of the statement, register the establishment in the appropriate part of the register of establishments in Form B and shall issue a registration certificate in Form C to the employer.

7. *Form for notifying a change and fees.*—The employers shall notify to the Inspector of the local area concerned, in Form D, any change in respect of any information contained in his statement prescribed under rule 5 within seven days, after the change has taken place. The notice in Form D shall be sent to the Inspector with such fees as are prescribed in Schedule II.

8. *Fixing six days in a year for additional overtime.*—(1) An employee may be required or allowed to work in a shop or commercial establishment under sub-section (*3*) of section 14 in excess of the period fixed under sub-section (*1*) of the said section on any of the following days for purposes of making of accounts, stock taking or settlements if such excess period does not exceed twenty-four hours :—

The 31st day of March ;

The 30th day of June ;

The three days preceding the Divali New Year day ;

The 31st day of December :

Provided that in lieu of any day or days mentioned above the employer may substitute any other day or days, as the case may be, which shall be intimated to the Inspector at the beginning of the year.

(2) On any of the days mentioned in sub-rule (1), the operation of the provisions relating to closing hours in sections 11 and 13 shall be deemed to be suspended.

9. *Notice to be given to Inspector when additional overtime is to be worked.*—Notice of the intention to require employees in a shop or commercial establishment to work under sub-section (*3*) of section 14 in excess of the period fixed under sub-section (*1*) of the said section on any day prescribed under rule 8 shall be given either in English or in a regional language to the Inspector within whose jurisdiction such establishment is situated at least 24 hours before such day :

Provided that if the employer for reasons beyond his control is unable to give the requisite notice at least 24 hours before such day, he shall give the notice on such day.

10. *Form of register for entering refusal of leave.*—The register for entering refusal of leave to be kept under sub-section (3) of section 35 shall be in Form E and shall be kept in five Parts as follows :—

Part I—Shops.

Part II—Commercial Establishments.

Part III—Residential Hotels.

Part IV—Restaurants and Eating Houses.

Part V—Theatres and other places of Public Amusement or Entertainment.

11. *Fixing times and methods for cleaning the establishments.*—In every establishment all the inside walls of the rooms and all the ceilings and tops of such rooms (whether such walls, ceilings and tops be plastered or not) and all the passages and staircases shall be lime-washed or colour-washed at least once in two years dating from the period when last lime-washed or colour-washed. Where the walls, etc., are rendered, in the opinion of the local authority, particularly unclean, the local authority may require them to be lime-washed or colour-washed earlier than the period specified above. All the beams, rafters, doors, window frames and other wood work with the exception of floors shall be either painted or varnished once in seven years dating from the period when last painted or varnished and shall be kept in a cleanly state. The dates on which lime-washing, colour-washing, painting or varnishing is carried out shall be duly entered in a register maintained in Form F, which shall be shown to the Inspector when required :

Provided that the provisions of this rule shall not apply to—

(*i*) rooms used only for the storage of articles ;

(*ii*) walls or tops of rooms which are made of galvanised iron, tiles, asbestos sheets or similar material or glazed bricks ;

(*iii*) Any other establishment or parts thereof in which lime-washing or painting is in the opinion of the local authority or Government, as the case may be, unnecessary to satisfy the requirements of section 39 as to cleanliness.

12. *Rubbish not to be allowed to accumulate.*—No rubbish, filth or debris shall be allowed to accumulate or to remain on any premises in an establishment in such position that effluvia therefrom can arise within the establishment.

13. *Precautions against fire.*—No person shall smoke or use a naked light or cause or permit any such light to be used, in the immediate vicinity of any inflammable material in any establishment.

14. *Supervision to be exercised by Government over local authority.*—Government may exercise its supervisory functions through the agency of the Factory Inspectors and give such directions to the Local Authority as may appear to it necessary for the proper enforcement of the Act.

15. *Qualifications of Inspectors.*—(1) No person shall be appointed to be an Inspector under the Act unless he is a graduate of a recognised University and is able to speak, read and write the regional language of the area for which he is to be appointed as an Inspector :

Provided that in special circumstances a person who is not a graduate may be appointed to be an Inspector under the Act with the previous sanction of Government.

(2) No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall continue to hold office, if he has or acquires, directly or indirectly by himself or by any partner, any share or interest in any establishment to which the Act applies in the area for which he is to be or has been appointed.

16. *Duties of Inspectors.*—The Inspector shall make such examination as may appear to him to be necessary for the purpose of satisfying himself that the provisions of the Act and of these rules and any orders passed by *Government* or the local authority under the Act are duly observed. In particular, he shall satisfy himself—

(*i*) that the establishments are duly registered under the Act ;
(*ii*) that the registers, records and notices required to be maintained or displayed under the Act or these rules are properly maintained or displayed ;
(*iii*) that the intervals of rest and holidays required to be granted or observed under the Act are granted and observed and that the limits of hours of work and spread-over laid down under the Act are not exceeded ;
(*iv*) that the provisions of the Act and any orders issued by *Government* or the local authority regarding the opening and closing hours are duly observed ;
(*v*) that the identity cards for employees in residential hotels, restaurants and eating houses are properly provided ;
(*vi*) that the provisions of the Act and these rules regarding leave are properly observed ;
(*vii*) that the provisions of the Act and these rules relating to cleanliness, lighting and precautions against fire are properly observed ;
(*viii*) that the provisions of the Act relating to the payment for overtime work are duly observed ; and
(*ix*) that no child is allowed to work in any establishment.

17. *Submission of diary by Inspector.*—The Inspector shall keep a file of the records of his inspections arranged in monthly bundles and shall submit to the officer or local authority to whom he is subordinate on the 15th day of each month, a diary in Form G, showing the work done in the preceding month. A copy of the said diary shall be retained by the Inspector.

18. *Maintenance of registers and records and display of notices.*—(1) Every employer of a Shop or Commercial establishment shall maintain a register of employment in Form H, provided that where the opening and closing hours are ordinarily uniform the employer may maintain such register in Form I. Every employer of a residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment shall maintain a register of employment in Form HH, provided that where the opening and closing hours are ordinarily uniform the employer may maintain such register in Form II.

(2) Notwithstanding anything contained in sub-rule (1), an employer may, instead of maintaining a register as provided in the said sub-rule, exhibit in his establishment, a notice specifying the daily hours to be worked by, and intervals for rest to be allowed to, employees. The notice shall be in Form J and shall be exhibited not later than the closing hour on the Saturday immediately preceding the first week in which the hours of work shall be as specified in such notice. It shall continue to be exhibited so long as the hours of work specified in it are observed.

(3) Where an employer has exhibited the notice referred to in sub-rule (2), he shall keep a record of hours of work in Form K.

(4) Every employer of a residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment shall exhibit in his establishment a notice in Form L, specifying the day or days of the week on which his employees shall be given a holiday. The notice shall be exhibited before the employees to whom it relates cease work on the Saturday immediately preceding the first week during which it is to have effect.

(4A) The provisions of sub-rule (4) shall apply *mutatis mutandis* to every employer or manager of an establishment which is entitled to exemptions specified in the Note to Schedule II to the Act, and which gives to employees one day in a week as a holiday, and makes no deduction from wages on account thereof.

(5) Every employer shall maintain a register of leave in Form M.

(6) The employer shall provide each employee with a book called "Leave Book" in Form N. The book shall be the property of the employee and the employer or his manager or other agent shall not demand it except to make entries therein and shall not keep it for more than a week at a time.

(7) If any employee loses his "Leave Book", the employer shall provide him with another copy on the payment of anna one and shall complete it from his record.

(8) Every employer shall exhibit in his establishment a notice containing such extracts of the Act and these rules, in English and in the regional language of the majority of his employees, as the local authority or *Government* may direct.

(9) Any notice required to be exhibited under these rules shall be exhibited in such manner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes defaced or otherwise ceases to be clearly legible.

(10) In any register or record which an employer is required to maintain under these rules, the entries relating to any day shall be made on such day.

(11) The registers, records, and notices relating to any year shall be preserved till the end of the next year.

(12) If on an application made by an employer in writing, the local authority or *Government*, as the case may be, is satisfied that any muster roll, register or record maintained by such employer gives in respect of all or any of the employees

in his establishment the particulars required to be shown in any register, record, or notice prescribed under this rule, the local authority or *Government*, as the case may be, may by order in writing direct that such muster roll, register or record shall to the corresponding extent be maintained in place of such register, record or notice, as the case may be.

(13) Save as provided in sub-rule (8), all registers, records, muster rolls and notices required to be maintained, exhibited or given under this rule shall be either in English or in a regional language.

(14) Every employer shall maintain a visit book, in which an Inspector visiting the establishment may record his remarks regarding any defects that may come to light at the time of his inspection and shall produce it whenever required to do so by any Inspector.

19. An Inspector may require an employer to produce in respect of any person employed by him one of the following documents, namely, (1) an authentic extract from the records of any school; (2) a certified copy from the Birth Register; (3) a certificate of age from a registered medical practitioner in Form O.

FORM A.

(*See* rule 5.)

Statement under section 7 (1).

1 Name of the establishment, if any.

2 Postal address of the establishment.

3 Name of the employer.

4 Name of the manager, if any.

5 Category of the establishment, i.e., whether a shop, commercial establishment, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

6 Nature of business.

7 Names of members of employer's family, employed in the establishment; state separately the names of young persons, if any.

8 Names of other persons occupying position of management or employees engaged in confidential capacity.

9 Total number of employees; state separately the number of women and/or young persons, if any.

Signature of the employer.

Dated

Note.—This statement shall be sent to the Inspector of the local area concerned with such fees as are prescribed in Schedule I.

FORM B.

(*See* rule 6.)

Register of establishments.

Part I—Shops.
Part II—Commercial Establishments.
Part III—Residential Hotels.
Part IV—Restaurants and Eating Houses.
Part V—Theatres, and other places of Public Amusement or Entertainment.

Serial No.	Registration Certificate No.	Name of the employer.	Name of the manager, if any.	Postal address of the establishment.	Name of the establishment, if any.
1	2	3	4	5	6

Nature of business.	Number of members of employer's family. Adult males, women, young persons.	Number of other persons occupying position of management or employees engaged in confidential capacity.	Total number of employees. Adult males, women, young persons.	Date of inspection.	Remarks.
7	8	9	10	11	12

FORM C.

(*See* rule 6.)

Bombay Shops and Establishments Act, 1948.

Registration certificate of establishment.

Name of the establishment or employer.

Postal address of the establishment.

Registration No.

Office of the Inspector under the Bombay Shops and Establishments Act, 1948.

It is hereby certified that the has been registered as a .....*under the Bombay Shops and Establishments Act, 1948, this day of 19 .

Inspector under the Bombay Shops and Establishments Act, 1948.

Seal.

*Here insert the category of the establishment.

FORM D.

(*See* rule 7.)

Notice of change.

Name of the establishment already registered: or name of the employer.

Registration Certificate No.

(Address)

Dated the day of 19

To

The Inspector under the Bombay Shops and Establishments Act, 1948.

Notice is hereby given that the following change has taken place in respect of information forwarded to you in Form A, which please note.

Signature of the employer.

Note.—The notice of change in this form shall be sent together with such fees as are prescribed in Schedule II.

FORM E.

(*See* rule 10.)

Register for entering refusal of leave.

Serial No.	Name of the employer.	Name of the establishment.	Postal address of the establishment	Name of the employee.
1	2	3	4	5

Amount of and date from which leave due.	Amount of leave applied for and date of application.	Date of refusal.	Remarks.
6	7	8	9

FORM F.

(*See* rule 11.)

Register showing dates of lime washing, etc.

Parts of the establishment, i.e., name of room.	Parts lime-washed, colour-washed, painted or varnished, e.g., walls, ceilings, wood works, etc.	Treatment (whether lime-washed, colour-washed, painted or varnished).
		— (*contd. below*)

Date on which lime-washing, colour-washing, painting, or varnishing was carried out (according to the English calendar).			Signature of the employer or manager.	Remarks.
Day.	Month.	Year.		

(Signature of the employer)

(Signature of the manager)

FORM G.

(*See* rule 17.)

Diary of Inspector for the month ending 19

Date	Place.	Establishments inspected.	Establishments inspected for definite purposes.	Remarks of defects found and directions and orders issued.

FORM H.

[*See* rule 18 (1).]

Register of employment in a shop or commercial establishment.

For the week ending 19

Name of the employee.	Whether woman or not.	Whether young person or not.	Days of week.				
			Sunday.			Monday.	Tuesday.
			Time at which employment commences.	Time at which employment ceases.	Rest intervals.	*	*

(*contd. below.*)

Wednesday.	Thursday.	Friday.	Saturday.	Totals hours worked during the week.	Days on which overtime work is done and extent of such overtime on each day.	Extent of overtime worked during the week.	Extent of over time worked previously during the year in accordance with the provisions of rule 8.
*	*	*	*				

Note.—The mark 'H' shall be made in the column relating to any day on which an establishment remains closed in accordance with the notice referred to in section 18(1) or a holiday is given in accordance with the note below Schedule II to the Act, as amended from time to time and 'A' if the employee is absent on any other day.

*The same sub-columns as for Sunday.

The entries under the heading 'Rest intervals' shall be the actual hours at which intervals are to begin and end (e.g. 1 p.m. to 2 p.m.)

FORM HH.

[*See* rule 18 (1)].

Register of employment in a residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

For the month ending 19 .

Name of the employee.	Whether woman or not.	Whether young person or not.	Days of month. 1 — Time at which employment commences.	Time at which employment ceases.	Rest intervals.

(*Contd. below*)

Days of month. 2	3	4	5	6 etc.	Days on which overtime work is done and extent of such overtime on each day.	†Extent of overtime worked previously during the year in accordance with the provisions of section 21 (2).
*	*	*	*	*		

Note.—The mark ' H ' shall be made in the column relating to any day on which a holiday is given in accordance with the notice referred to in rule 18 (4) and ' A ' if the employee is absent on any other day.

* The same sub-columns as for 1.

† This column need not be filled by theatres or other places of public amusement or entertainment.

The entries under the heading ' Rest intervals ' shall be the actual hours at which intervals are to begin and end (e.g. 1 p.m. to 2 p.m.)."

FORM I.

[*See* rule 18 (1).]

For the week ending 19 .

Register of Employment in a shop or commercial establishment where opening and closing hours are ordinarily uniform.

Name of the employee.	Whether woman or not.	Whether young person or not.	Time at which employment commences.	Time at which employment ceases.	Rest interval.	Hours		
						Sunday.	Monday.	Tuesday.

(*Contd. below.*)

worked on				Total hours worked during the week.	Days on which overtime work is done and extent of such overtime on each occasion.	Extent of overtime worked during the week.	Extent of overtime worked previously during the year in accordance with the provisions of rule 8.
Wednesday.	Thursday.	Friday.	Saturday.				

Note.—The mark 'H' shall be made in the column relating to any day on which an establishment remains closed in accordance with the notice referred to in section 18 (*1*) or a holiday is given in accordance with the note below Schedule II to the Act, as amended from time to time and 'A' if the employee is absent on any other day.

The entries under the heading 'Rest intervals' shall be the actual hours at which intervals are to begin and end (e.g. 1 p.m. to 2 p.m.)

FORM II.

[*See* rule 18 (1).]

Register of Employment in a residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment where opening and closing hours are ordinarily uniform.

For the month ending 19 .

Name of the employee.	Whether woman or not.	Whether young person or not.	Time at which employment commences.	Time at which employment ceases.	Rest intervals.	Hours worked on 1	Hours worked on 2	Hours worked on 3	Hours worked on 4	Hours worked on 5	Hours worked on 6	Hours worked on 7	Hours worked on etc.	Days on which overtime work is done and extent of such overtime on each occasion.	* Extent of overtime worked previously during the year in accordance with the provisions of section 21(*3*).

Note.—The mark 'H' shall be made in the column relating to any day on which a holiday is given in accordance with the notice referred to in rule 18 (4) and 'A' if the employee is absent on any other day.

* This column need not be filled by theatres or other places of public amusement or entertainment

The entries under the heading 'Rest intervals' shall be the actual hours at which intervals are to begin and end (e.g. 1 p.m. to 2 p.m.)."

FORM J.

[*See* rule 18 (2).]

Notice of periods of work.

Daily periods of work of employees

Commencing 19

Name of the employer or establishment.

Description of Department (if applicable)

Names of the employees.	Whether woman or not.	Whether young person or not.	Day		
			Employment to commence	Intervals for rest	Employment to cease.

(Signed)

(Employer)

Date.....

Note.—1. This notice must be exhibited not later than the closing hour on the Saturday preceding the first week in which it is to take effect, and must continue to be exhibited while it is in force, in such a manner that it may be readily seen or read by any person whom it affects.

2. The hours to be specified in this notice shall be the hours to be worked exclusive of overtime.

3. The entries under the heading "Intervals for rest" shall be the actual hours at which intervals are to begin and end (e.g. 1 p. m. to 2 p. m.)

FORM K.

[*See* rule 18 (3).]

Record of hours of work of the employees.

(To be used only when notice in Form J is exhibited).

Description of Department (if applicable)

For the week ending 19

Names of the employees.	Whether young person or not.	Day on which holiday granted.	Total hours worked during the week.	* Days on which overtime is done and extent of such overtime on each occasion.	† Extent of overtime worked during the week.	‡ Extent of overtime worked previously during the year in accordance with the provisions of rule 8 and section 21(2).

*This column need not be filled by theatres or other places of public amusement or entertainment.

†This column need not be filled by residential hotels, restaurants, and eating houses, theatres or other places of public amusement or entertainment.

‡This column need not be filled by theatres or other places of public amusement or entertainment.

FORM L.

[*See* rule 18 (4).]

Notice of holiday.

The employees in this* { Residential Hotel / Restaurant / Eating House / Theatre / Other place of public amusement and entertainment } shall be given a holiday on the day named below in the week following the date of this notice and until further notice.†

‡Names of the employees.	Day on which holiday is allowed.

*Strike out the words which are not appropriate.
†Strike out the words "until further notice" if the notice is intended to apply only to one week.
‡If the same day is fixed for all the employees, the word "all" only need be inserted in this column.

Signature of the employer.

Date.....

FORM M.

[*See* rule 18 (5).]

Register of leave.

Name of the employer or establishment.

Description of department (if applicable).

Name of the employee	Date of entry into service.	Amount of and date from which leave due.	Amount of and date from which leave allowed.		If leave applied for and refused, amount of such leave and date of application for and refusal of leave.
			From	To	

(*Contd. below.*)

Amount payable in respect of leave paid on		Balance of leave carried over.	Discharged employee or employees quitting employment after having applied for and having been refused leave.		Remarks
First moiety	Second moiety		Date of discharge etc.	Date and amount of payment made in respect of leave.	

Note.—Separate page shall be allotted to each worker.

FORM N.

[*See* rule 18 (6).]

Leave book.

Same form as the form of the register of leave but a separate book shall be made for each employee on a thick bound sheet.

FORM O.

[*See* rule 19.]

Form of certificate.

I hereby certify that I have personally examined (Name).....

$\frac{\text{son}}{\text{daughter}}$ of..... residing at

.....and that $\frac{\text{he}}{\text{she}}$ has completed

$\frac{\text{his}}{\text{her}}$ $\frac{\text{twelfth}}{\text{seventeenth}}$ year.

$\frac{\text{His}}{\text{Her}}$ description marks are .....

Thumb impression

Medical Practitioner.

SCHEDULE I.

(*See* rule 5.)

The statement in Form A shall be sent to the Inspector together with the fees prescribed in this Schedule.

Serial No.	Category of Establishment.	Fee. Rs.	a.	p.
1	Commercial establishments employing ten or more employees.	5	0	0
2	Commercial establishments employing less than ten employees.	2	8	0
3	Shops other than shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches, and employing ten or more employees.	5	0	0
4	Shops other than shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches, and employing less than ten employees.	2	8	0
5	Shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches.	1	0	0
6	Residential hotels	5	0	0
7	Restaurants and eating houses employing ten or more employees.	5	0	0
8	Restaurants and eating houses employing less than ten employees.	2	8	0
9	Theatres and other places of public amusement or entertainment.	5	0	0
10	Establishments engaging no employees	1	0	0

SCHEDULE II.

(*See* rule 7.)

The notice of change in Form D shall be sent to the Inspector together with the fees prescribed in this Schedule.

Serial No.	Category of Establishments.	Fees. Rs. a. p.
1	Commercial establishments employing ten or more employees.	0 8 0
2	Commercial establishments employing less than ten employees.	0 4 0
3	Shops other than shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches and employing ten or more employees.	0 8 0
4	Shops other than shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches and employing less than ten employees.	0 4 0
5	Shops dealing wholly in milk, vegetables, fruits, fish, meat, bread, *pan*, *bidi*, cigarettes and matches.	0 2 0
6	Residential hotels	0 8 0
7	Restaurants and eating houses employing ten or more employees.	0 8 0
8	Restaurants and eating houses employing less than ten employees.	0 4 0
9	Theatres and other places of public amusement or entertainment.	0 8 0
10	Establishments engaging no employees	0 2 0